



February 28, 2013

VIA E-Filing

The Honorable Richard G. Andrews
United States District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Room 2325
Unit 9
Wilmington, DE 19801-3568

**RE: Pragmatus Telecom LLC v. 3M Company,
C.A. No. 12-1533-RGA
Pragmatus Telecom LLC v. Alcatel-Lucent USA Inc.,
C.A. No. 12-1534-RGA
Pragmatus Telecom LLC v. AT&T Inc.,
C.A. No. 12-1536-RGA
Pragmatus Telecom LLC v. Brother International Corp.,
C.A. No. 12-1538-RGA
Pragmatus Telecom LLC v. Ceridian Corp.,
C.A. No. 12-1541-RGA
Pragmatus Telecom LLC v. Crocs Inc.,
C.A. No. 12-1542-RGA
Pragmatus Telecom LLC v. Lands' End Inc.,
C.A. No. 12-1547-RGA
Pragmatus Telecom LLC v. Oriental Trading Company Inc.,
C.A. No. 12-1553-RGA
Pragmatus Telecom LLC v. Rite Aid Corporation,
C.A. No. 12-1555-RGA
Pragmatus Telecom LLC v. Sprint Spectrum LP,
C.A. No. 12-1556-RGA
Pragmatus Telecom LLC v. Thomson Reuters US Inc.,
C.A. No. 12-1557-RGA
Pragmatus Telecom LLC v. Bosch Security Systems Inc.,
C.A. No. 12-1650-RGA
Pragmatus Telecom LLC v. Dish Network Corp.,
C.A. No. 12-1651-RGA
Pragmatus Telecom LLC v. Elavon Inc.,
C.A. No. 12-1652-RGA**

**Pragmatus Telecom LLC v. EMC Corp.,
C.A. No. 12-1653-RGA**
**Pragmatus Telecom LLC v. goEmerchant LLC,
C.A. No. 12-1654-RGA**
**Pragmatus Telecom LLC v. Mediacom Communications Corp.,
C.A. No. 12-1656-RGA**
**Pragmatus Telecom LLC v. Staples Inc.,
C.A. No. 12-1660-RGA**
**Pragmatus Telecom LLC v. Starwood Hotels & Resorts Worldwide Inc.,
C.A. No. 12-1661-RGA**
**Pragmatus Telecom LLC v. Reed Elsevier US Holdings Inc.,
C.A. No. 12-1684-RGA**
**Pragmatus Telecom LLC v. Seagate Technology (US) Holdings Inc.,
C.A. No. 12-1686-RGA**

Dear Judge Andrews:

Plaintiff writes in response to Your Honor's Oral Order dated February 28, 2013, requesting the parties' position regarding whether the Motions to Dismiss filed by Defendants in the above-captioned cases are moot in light of the filing of Plaintiff's Amended Complaints. Plaintiff maintains that the filing of the Amended Complaints has mooted Defendants' Motions to Dismiss. Plaintiff's position is supported by numerous decisions from this District. *Owens v. Connections Community Support Programs, Inc.*, 840 F. Supp. 2d 791, 794 (D. Del. 2012) (Robinson, J.) ("Defendants' motion to dismiss became moot upon the filing of the amended complaint."); *see also Daughtry v. Family Dollar Stores, Inc.*, 634 F. Supp. 2d 475, 477 n.1 (D. Del. 2009) (Robinson, J.) ("The allegations contained in plaintiffs' amended complaint now make defendant's previous motion to dismiss [] moot."); *Airport Investors Ltd. P'Ship, Inc. v. Neatroun*, 2004 WL 225060, at *1 (D. Del. Feb. 3, 2004) (Sleet, J.) ("Because [plaintiff] subsequently filed an amended complaint as a matter of right, the court finds the [defendant's] motion to dismiss the initial complaint moot.").

Should Your Honor have any questions, we are available at your convenience.

Respectfully submitted,

/s/ Brian E. Farnan

Brian E. Farnan (Bar No. 4089)